

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

ANDRE MAHONEY	§	
VS.	§	CIVIL ACTION NO. 1:19-CV-520
C/O OJAJUNI, <i>et al.</i> ,	§	

MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Andrew Mahoney, an inmate formerly confined within the Bureau of Prisons, proceeding *pro se*, filed this *Bivens*-type<sup>1</sup> action against defendants Correctional Officer O. Ojajuni, Associate Warden R. Maldonado, Former Warden USP Beaumont T.J. Watson, Captain USP Beaumont W. Hozapfel, Warden Larry Shults, FNU Edwards, and US Attorney General William Barr.

The Court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends this tort claim be dismissed for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).<sup>2</sup>

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A Final Judgment will be entered in this case

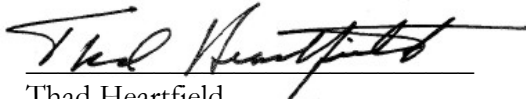
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<sup>1</sup>See *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

<sup>2</sup>Plaintiff received a copy of the Report and Recommendation on April 6, 2020 (docket entry no. 12).

in accordance with the Magistrate Judge's recommendations.

**SIGNED** this the **11** day of **May, 2020**.

  
Thad Heartfield  
United States District Judge